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REMARKS

The application has been reviewed in light of the final Office Action dated September 28, 2007. Claims 1-9 were pending. By this Amendment, claim 1 has been amended to clarify the claimed subject matter, without narrowing a scope of the claim, claims 7 and 8 have been amended by rewriting them in independent form, new claims 10-14 depending from claim 8 and corresponding to claims 2-6 have been added, and new claims 15-19 depending from claim 7 and corresponding to claims 2-6 have been added. Applicant submits that the claim amendments do not introduce new matter or new issues, and therefore entry of the amendments is requested. Accordingly, claims 1-19 would be pending upon entry of this Amendment.

Claims 1-3, 6 and 9 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over the Related Art discussed in the Background section of this application in view of U.S. Patent No. 5,598,401 to Blackwell et al. Claims 4, 5, 7 and 8 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Related Art discussed in the Background section of this application in view of Blackwell et al. and further in view of U.S. Patent No. 5,502,752 to Averbuch et al.

Fig. 4 (reproduced below) of the present application shows a configuration of a connection, in a facsimile apparatus with G3 and G4 functions in the background art, to an ISDN line. When communications are performed via a public switched telephone network (PSTN), a switch 208 is controlled to connect a NCU (network control unit) section 102 to input and output terminals of CODEC0 section 206 and to addition amplifier 209. On the other hand, when facsimile communications are performed via the ISDN line, the switch is controlled to connect CODEC1 section 202 of the ISDN communication block 201 to input and output terminals of CODEC0 section 206, and thus the facsimile communications signal can be transmitted from the

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CODEC0 section 206 to the CODEC1 section 202 of the ISDN communication block 201. In each instance, signals to and from the CODEC0 section 206 are mixed in the addition amplifier 209 to cause a mixture signal to be output to speaker 207 to generate a sound that allows the facsimile communications (on the PSTN or the ISDN line) to be monitored.

FIG. 4

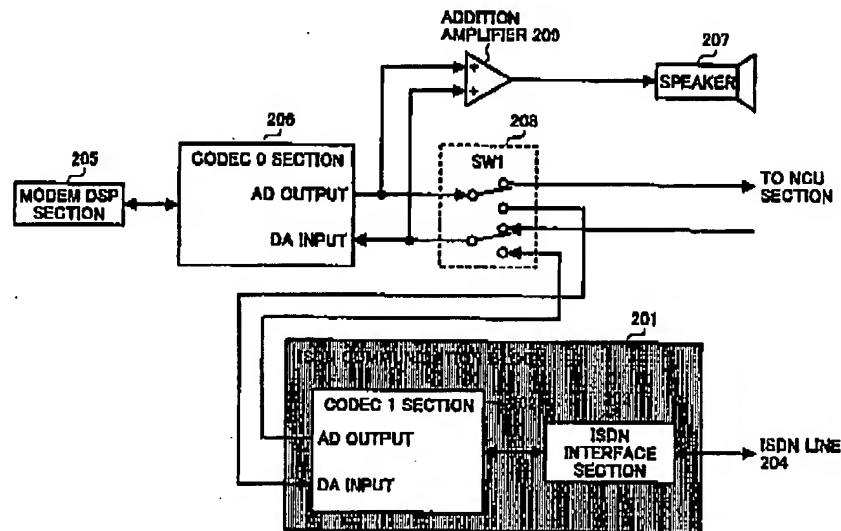
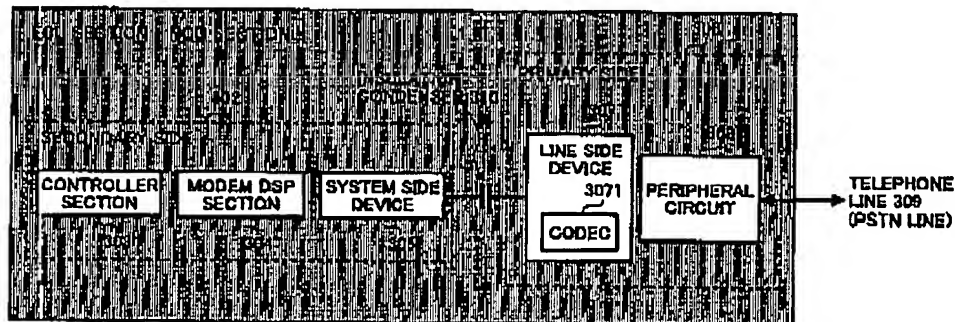


Fig. 5 (reproduced below) of the present application shows a background silicon data access arrangement (DAA), that is, a chip.

FIG. 5



It is contended in the Office Action that the silicon DAA of Fig. 5 can be combined with

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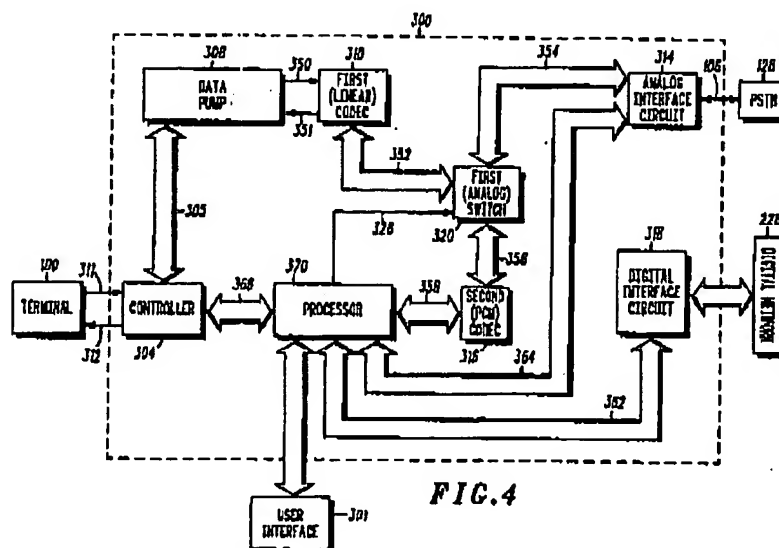
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the arrangement shown in Fig. 4 of the present application.

As discussed in the application, the silicon DAA of Fig. 5 can be connected to the ISDN communication block 201 of Fig. 4. In such modification, the silicon DAA of Fig. 5 would replace a separate NCU section, the modem DSP section 205 and CODEC0 section 206 and switch 208 (more specifically, primary side 306 replaces the separate NCU section, CODEC 3071 replaces CODEC section 202, modem DSP section 304 replaces modem DSP section 205). However, such modification requires the ISDN communication block to connect directly to the system does not include provision to transmit a facsimile communications signal to a speaker. In Fig. 4, CODEC0 206 supplies the facsimile communications signal that is monitored.

The combination of the devices in Figs. 4 and 5 that is practically feasible would not include a monitoring device connected to the silicon data access arrangement and configured to monitor a progress of facsimile communications via the ISDN line (present claim 1).

Blackwell, as understood by Applicant, proposes a data communications device for selectively operating in a plurality of analog and digital modes. Fig. 4 of Blackwell (reproduced below) was cited in the Office Action:



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The terminal 100 in Fig. 4 of Blackwell is equated to the monitoring device of claim 1.

However, the terminal 100 of Blackwell is not connected to a silicon data access arrangement. Further, the terminal 100 of Blackwell cannot be connected to the silicon data access arrangement of Fig. 5 of the present application, since the silicon data access arrangement of Fig. 5 of the present application does not have provisions for such connection.

In order to provide such connection, the silicon data access arrangement (that is, a chip) of Fig. 5 of the present application would need to be modified, that is, the chip would need to be modified, which is an enormous task that one skilled in the art would not have been motivated to undertake.

Averbuch, as understood by Applicant, proposes an apparatus for clock rate matching in independent networks wherein the apparatus accepts data from a modem (126) into a buffer (400) and determines the difference between the rate of the data entering the buffer (400) at the modem clock rate to the rate of data exiting the buffer (400) at the clock rate used by the apparatus. Depending on the rate difference, the apparatus either speeds up or slows down the data rate accordingly.

Averbuch does not express any concern regarding monitoring facsimile communications aurally through a speaker.

Applicant maintains that the cited art does not disclose or suggest a facsimile use modem apparatus comprising both (I) an analog interface formed from a silicon data access arrangement operative to interface with an analog telephone line, and including an insulation device configured to insulate a remainder of said facsimile use modem apparatus from said analog telephone line, and (II) a monitoring device connected to the silicon data access arrangement and configured to monitor a progress of the facsimile communications via the ISDN line, as provided

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by the subject matter of claim 1 of the present application.

Independent claims 7 and 8 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 7 and 8, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks hereinabove, Applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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